



STATE OF WISCONSIN

Senate Journal

Ninety–Eighth Regular Session

11:04 A.M.

TUESDAY, March 11, 2008

The Senate met.

The Senate was called to order by President Risser.

CALL OF ROLL

The roll was called and the following Senators answered to their names:

Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Absent – Senator Erpenbach – 1.

Absent with leave – None.

The Senate stood for the prayer which was offered by Reverend Heather Lampert of St. Luke's Lutheran Church in Middleton.

The Senate remained standing and Senator A. Lasee led the Senate in the pledge of allegiance to the flag of the United States of America.

LEAVES OF ABSENCE

Senator Decker, with unanimous consent, asked that Senator Erpenbach be granted a leave of absence for part of today's session.

CHIEF CLERK'S ENTRIES

BILLS PRESENTED TO THE GOVERNOR

The Chief Clerk records:

Senate Bill 103

Senate Bill 244

Senate Bill 341

Senate Bill 436

Presented to the Governor on 3–11–2008.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS; REFERENCE OF APPOINTMENTS

Read and referred:

Senate Resolution 29

Relating to: the life of David F. Schulz who passed away on Sunday, the 7th of October, 2007, after many years of government and academic service.

By Senators Taylor, Lazich, Sullivan and Darling.

To committee on **Senate Organization**.

Senate Joint Resolution 104

Relating to: recognizing May 12, 2008, as Fibromyalgia Awareness Day.

By Senator Lassa.

To committee on **Senate Organization**.

Senate Joint Resolution 105

Relating to: expressing support for the Milwaukee Center for Independence.

By Senators Plale and Darling; cosponsored by Representatives Zepnick and Sinicki.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 567

Relating to: requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, absentee voting procedure in certain residential care apartment complexes and adult family homes, and the fee for an identification card issued by the Department of Transportation.

By Senators Carpenter, Plale and Sullivan.

To committee on **Labor, Elections and Urban Affairs**.

REPORT OF COMMITTEES

The committee on **Environment and Natural Resources** reports and recommends:

Assembly Bill 297

Relating to: the regulation of certain structures in navigable waters, granting rule-making authority, and making an appropriation.

Introduction and adoption of Senate Amendment 1.

Ayes, 3 – Senators Miller, Jauch and Wirch.

Noes, 2 – Senators Kedzie and Schultz.

Concurrence as amended.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Schultz.

Noes, 0 – None.

Assembly Bill 62

Relating to: electric receptacles maintained by the Department of Natural Resources at state park campsites.

Concurrence.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Schultz.

Noes, 0 – None.

Assembly Bill 634

Relating to: minimum harvesting requirements for Great Lakes fish.

Concurrence.

Ayes, 4 – Senators Miller, Jauch, Kedzie and Schultz.

Noes, 1 – Senator Wirch.

NELSON, ELWYN, of Oshkosh, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2010.

Confirmation.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Schultz.

Noes, 0 – None.

STARK, WILL, of De Pere, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2010.

Confirmation.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Schultz.

Noes, 0 – None.

Senate Bill 169

Relating to: the regulation of certain structures in navigable waters, granting rule-making authority, and making an appropriation.

Introduction and adoption of Senate Amendment 1.

Ayes, 3 – Senators Miller, Jauch and Wirch.

Noes, 2 – Senators Kedzie and Schultz.

Passage as amended.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Schultz.

Noes, 0 – None.

Senate Bill 357

Relating to: minimum harvesting requirements for Great Lakes fish.

Adoption of Senate Amendment 1.

Ayes, 4 – Senators Miller, Jauch, Kedzie and Schultz.

Noes, 1 – Senator Wirch.

Passage as amended.

Ayes, 4 – Senators Miller, Jauch, Kedzie and Schultz.

Noes, 1 – Senator Wirch.

Senate Bill 553

Relating to: notices concerning construction near or on lakes, streams, or wetlands that are given to applicants for building permits and other construction approvals, requiring the Department of Natural Resources to furnish informational brochures about wetlands laws, requiring the Department of Natural Resources to provide evaluations and statements about whether certain land contains wetlands, and making an appropriation.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Schultz.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Miller, Jauch, Wirch, Kedzie and Schultz.

Noes, 0 – None.

MARK MILLER

Chairperson

The committee on **Health, Human Services, Insurance, and Job Creation** reports and recommends:

Senate Bill 232

Relating to: pharmacists, contraceptives, and the definition of abortion.

Introduction and adoption of Senate Amendment 1.

Ayes, 4 – Senators Vinehout, Roessler, Lazich and Kanavas.

Noes, 3 – Senators Erpenbach, Carpenter and Taylor.

Introduction and adoption of Senate Amendment 2.

Ayes, 4 – Senators Vinehout, Roessler, Lazich and Kanavas.

Noes, 3 – Senators Erpenbach, Carpenter and Taylor.

Passage as amended.

Ayes, 4 – Senators Vinehout, Roessler, Lazich and Kanavas.

Noes, 3 – Senators Erpenbach, Carpenter and Taylor.

JON ERPENBACH

Chairperson

The committee on **Judiciary, Corrections, and Housing** reports and recommends:

Assembly Bill 216

Relating to: community service work option for certain defendants.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Assembly Bill 368

Relating to: the time period to petition to review an administrative decision.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Assembly Bill 468

Relating to: notaries public who are not attorneys and providing penalties.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Assembly Bill 503

Relating to: theft of services and providing a penalty.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Assembly Bill 578

Relating to: restitution for misappropriation from a cemetery of certain objects that relate to a veteran.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Assembly Bill 613

Relating to: salaries of deputy district attorneys.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Senate Bill 534

Relating to: expungement of misdemeanors.

Passage.

Ayes, 3 – Senators Taylor, Sullivan and Vinehout.

Noes, 2 – Senators Lazich and Grothman.

Senate Bill 546

Relating to: drunken driving and creating a penalty.

Passage.

Ayes, 4 – Senators Taylor, Sullivan, Vinehout and Lazich.

Noes, 1 – Senator Grothman.

LENA TAYLOR

Chairperson

The committee on **Small Business, Emergency Preparedness, Workforce Development, Technical Colleges and Consumer Protection** reports and recommends:

Assembly Bill 301

Relating to: holding periods for secondhand dealers and pawnbrokers and regulating occasional sellers of computer toys and games and audio and video recordings.

Concurrence.

Ayes, 4 – Senators Wirch, Plale, Kedzie and Roessler.

Noes, 1 – Senator Carpenter.

Assembly Bill 531

Relating to: the frequency of wage payments to volunteer fire fighters and emergency medical technicians.

Concurrence.

Ayes, 5 – Senators Wirch, Carpenter, Plale, Kedzie and Roessler.

Noes, 0 – None.

Senate Bill 404

Relating to: making companies that hire illegal aliens ineligible for certain tax exemptions, governmental contracts, grants, and loans, granting rule-making authority, and providing penalties.

Adoption of Senate Amendment 1.

Ayes, 3 – Senators Wirch, Carpenter and Plale.

Noes, 2 – Senators Kedzie and Roessler.

Passage as amended.

Ayes, 3 – Senators Wirch, Carpenter and Plale.

Noes, 2 – Senators Kedzie and Roessler.

ROBERT WIRCH

Chairperson

The committee on **Veterans and Military Affairs, Biotechnology and Financial Institutions** reports and recommends:

Assembly Bill 623

Relating to: investments and operations of the State of Wisconsin Investment Board.

Concurrence.

Ayes, 4 – Senators Sullivan, Carpenter, Leibham and Kanavas.

Noes, 1 – Senator Coggs.

Assembly Bill 816

Relating to: repealing and recreating the Wisconsin Uniform Securities Law, granting rule-making authority, and providing penalties.

Concurrence.

Ayes, 5 – Senators Sullivan, Coggs, Carpenter, Leibham and Kanavas.

Noes, 0 – None.

Assembly Bill 827

Relating to: mortgage bankers, mortgage brokers, and loan originators.

Concurrence.

Ayes, 4 – Senators Sullivan, Coggs, Leibham and Kanavas.

Noes, 1 – Senator Carpenter.

Senate Bill 536

Relating to: adding a member to the Council on Veterans Programs.

Passage.

Ayes, 5 – Senators Sullivan, Coggs, Carpenter, Leibham and Kanavas.

Noes, 0 – None.

Senate Bill 551

Relating to: reporting requirements for certain charitable organizations.

Passage.

Ayes, 5 – Senators Sullivan, Coggs, Carpenter, Leibham and Kanavas.

Noes, 0 – None.

JIM SULLIVAN

Chairperson

The committee on **Senate Organization** reports:

The following bills were referred to the joint committee on **Finance**, pursuant to Senate Rule 41 (1) (e):

Senate Bill 216

Relating to: adjudications for involuntary commitment, appointment of a guardian of the person, and protective placement or protective services, background checks for the purchase of handguns, and requiring the exercise of rule-making authority.

Senate Bill 395

Relating to: adopting federal law as it relates to an income tax deduction for certain educators and creating an individual income tax deduction for educators who use their own funds to purchase classroom educational supplies.

Senate Bill 507

Relating to: technical college attendance under Wisconsin Works.

Assembly Bill 185

Relating to: the birth defect prevention and surveillance system.

Assembly Bill 732

Relating to: a meat processing facility investment income and franchise tax credit, granting rule-making authority, and making an appropriation.

Assembly Bill 763

Relating to: allowing dairy cooperatives to claim the dairy manufacturing facility investment credit and making an appropriation.

The following bills were referred to and withdrawn from the joint committee on **Finance** and made Available for Scheduling, pursuant to Senate Rule 41 (1) (e):

Assembly Bill 297

Relating to: the regulation of certain structures in navigable waters, granting rule-making authority, and making an appropriation.

Senate Bill 474

Relating to: licenses and limited X-ray machine operator permits to engage in the practice of radiography, creating a radiography examining board, granting rule-making authority, requiring the exercise of rule-making authority, and providing a penalty.

The following bills were previously referred to the joint committee on **Finance** and are now to be withdrawn made Available for Scheduling, pursuant to Senate Rule 41 (1) (e):

Senate Bill 379

Relating to: fire safety performance standards for cigarettes, making an appropriation, and providing a penalty.

Senate Bill 397

Relating to: the disposal, collection, and recycling of electronic devices, making an appropriation, and providing penalties.

Senate Bill 510

Relating to: requiring the combined reporting of corporate income and franchise taxes; supplemental funding for the renewable energy grant and loan program; Wisconsin higher education grants for technical college students; income eligibility for child care subsidies; incentive grants to technical college district boards for training in advanced manufacturing skills; airport development zone and technology zone tax credits; funding for the Department of Transportation; the Regional Transit Authority and commuter rail transit systems; authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance projects related to research facilities; and making an appropriation.

RUSS DECKER
Chairperson

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senator Roessler added as a coauthor of **Senate Bill 566**.

Pursuant to Senate Rule 17 (5), Senator Roessler added as a coauthor of **Senate Joint Resolution 103**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a cosponsor of **Assembly Joint Resolution 110**.

Pursuant to Senate Rule 17 (5), Senator A. Lasee added as a cosponsor of **Assembly Bill 77**.

Pursuant to Senate Rule 17 (5), Senator Kapanke added as a coauthor of **Senate Bill 413**.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 07-092

Relating to increased filing fees.

Submitted by Employment Relations Commission.

Report received from Agency, March 10, 2008.

Referred to committee on **Labor, Elections and Urban Affairs**, March 11, 2008.

The committee on **Environment and Natural Resources** reports and recommends:

Senate Clearinghouse Rule 07-017

Relating to the identification of sources subject to the Best Available Retrofit Technology (BART) requirements for visibility protection and the determination of BART for those sources.

No action taken.

Senate Clearinghouse Rule 07-075

Relating to commercial fishing for yellow perch in zone 1 (Green Bay).

No action taken.

Senate Clearinghouse Rule 07-088

Relating to national emission standards for hazardous air pollutants for industrial, commercial and institutional boilers and process heaters and potentially affecting small business.

No action taken.

MARK MILLER
Chairperson

SPECIAL ORDERS

Special order of business at 11:01 A.M.

Senate Joint Resolution 91

Relating to: the life and military service of Army Sergeant Matthew Pionk.

The question was: Shall **Senate Joint Resolution 91** be adopted?

Adopted by unanimous rising vote.

Senator Decker, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 91**.

Special order of business at 11:02 A.M.

Assembly Joint Resolution 53

Relating to: the life and service of Captain Kevin Kryst of the United States Marine Corps, who lost his life during Operation Iraqi Freedom.

The question was: Shall **Assembly Joint Resolution 53** be concurred in?

Concurred in by unanimous rising vote.

Senator Decker, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 53**.

Special order of business at 11:03 A.M.

Senate Joint Resolution 94

Relating to: the life and military service of Sergeant Louis Griese of the United States Army, who lost his life during Operation Enduring Freedom.

The question was: Shall **Senate Joint Resolution 94** be adopted?

Adopted by unanimous rising vote.

Senator Decker, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 94**.

Special order of business at 11:04 A.M.

Senate Joint Resolution 100

Relating to: the life and military service of Sergeant Lance S. Cornett.

The question was: Shall **Senate Joint Resolution 100** be adopted?

Adopted by unanimous rising vote.

Senator Decker, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 100**.

Special order of business at 11:05 A.M.

Assembly Joint Resolution 105

Relating to: the life and public service of Dominic Frinzi.

The question was: Shall **Assembly Joint Resolution 105** be concurred in?

Concurred in.

Senator Darling, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 105**.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Messaged.

Senator Decker, with unanimous consent, asked that the Senate recess until 12:00 P.M.

11:26 A.M.

RECESS

12:11 P.M.

The Senate reconvened.

President Risser in the chair.

Special order of business at 11:06 A.M.

Assembly Joint Resolution 110

Relating to: commending Mayor Jeannette Bell on her career and public service.

Senator Decker, with unanimous consent, asked that Senator Erpenbach's leave of absence be lifted.

Senator Decker, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 110**.

The question was: Shall **Assembly Joint Resolution 110** be concurred in?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie,

Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

Special order of business at 11:07 A.M.

Senate Bill 385

Relating to: the operation of motorboats, other than personal watercraft, at slow–no–wake speed within a given distance of the shoreline of a lake.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 385

Read a third time and passed.

Special order of business at 11:08 A.M.

Senate Bill 433

Relating to: cash value of life insurance regarding eligibility for the veterans assistance program.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 433

Read a third time and passed.

Special order of business at 11:09 A.M.

Senate Bill 464

Relating to: placement of a child for adoption with a nonrelative prior to termination of parental rights, payment for preadoption preparation when a child is placed for adoption by a child welfare agency, and the applicability of the Interstate Compact on the Placement of Children.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 464

Read a third time and passed.

Special order of business at 11:10 A.M.

Senate Bill 511

Relating to: registration plates for vehicle transporters.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 511

Read a third time and passed.

Special order of business at 11:11 A.M.

Senate Bill 518

Relating to: changes to BadgerCare Plus.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 518

Read a third time and passed.

Special order of business at 11:12 A.M.

Senate Bill 525

Relating to: requirements for automatic fire suppression systems and exhaust hoods in mobile kitchens.

Read a second time.

Senator Decker, with unanimous consent, asked that **Assembly Bill 864** be withdrawn from the committee on **Commerce, Utilities and Rail** and taken up.

Assembly Bill 864

Relating to: requirements for automatic fire suppression systems and exhaust hoods in mobile kitchens.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 864

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 525** be laid on the table.

Special order of business at 11:13 A.M.

Senate Bill 528

Relating to: expanding an exception to local levy limits for levies for debts incurred by a joint fire department.

Read a second time.

Senator Decker, with unanimous consent, asked that **Assembly Bill 869** be withdrawn from the committee on **Labor, Elections and Urban Affairs** and taken up.

Assembly Bill 869

Relating to: expanding an exception to local levy limits for levies for debts incurred by a joint fire department.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 869

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 32.

Noes – Senator Lazich – 1.

Absent or not voting – None.

Concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 528** be laid on the table.

Special order of business at 11:14 A.M.

Senate Bill 548

Relating to: changing the terms home health aide, hospice aide, and nurse's assistant to the term nurse aide; changing requirements for instructional and competency evaluation programs for nurse aides; changing certain requirements for review and investigation of reports of client abuse or neglect; and requiring the exercise of rule-making authority (suggested as remedial legislation by the Department of Health and Family Services).

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 548

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 33.

Noes – None.

Absent or not voting – None.

Passed.

Special order of business at 11:15 A.M.

Assembly Bill 77

Relating to: distributing the school levy and lottery and gaming property tax credits.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 77

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie,

Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

Special order of business at 11:16 A.M.

Assembly Bill 501

Relating to: insurance agent license requirements, revocations, and reinstatement and relicensing requirements, and granting rule-making authority.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 501

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

Special order of business at 11:17 A.M.

Assembly Bill 591

Relating to: suspending the operating privilege of an underage person who operates a vehicle while having an intoxicant in a vehicle (suggested as remedial legislation by the Department of Transportation).

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 591

Read a third time and concurred in.

Special order of business at 11:18 A.M.

Assembly Bill 592

Relating to: the authorization of the secretary of transportation or his or her designee to execute conveyances, contracts, and agreements in the name of the Department of Transportation (suggested as remedial legislation by the Department of Transportation).

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 592

Read a third time and concurred in.

Special order of business at 11:19 A.M.

Assembly Bill 593

Relating to: the issuance of motor vehicle occupational licenses after certain operating privilege suspensions (suggested as remedial legislation by the Department of Transportation).

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 593

Read a third time and concurred in.

Special order of business at 11:20 A.M.

Assembly Bill 594

Relating to: operation of unregistered motor vehicles on highways (suggested as remedial legislation by the Department of Transportation).

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 594

Read a third time and concurred in.

Special order of business at 11:21 A.M.

Assembly Bill 595

Relating to: certificates of title for vehicles that have been damaged by hail (suggested as remedial legislation by the Department of Transportation).

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 595

Read a third time and concurred in.

Special order of business at 11:22 A.M.

Assembly Bill 611

Relating to: creating an exception to the prohibition on protective placement or continued protective placement of an individual in a nursing facility (suggested as remedial legislation by the Department of Health and Family Services).

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 611

Read a third time and concurred in.

Special order of business at 11:23 A.M.

Assembly Bill 612

Relating to: approval of a court order for a minor's placement in or transfer to an inpatient facility (suggested as

remedial legislation by the Department of Health and Family Services).

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 612

Read a third time and concurred in.

Special order of business at 11:24 A.M.

Assembly Bill 616

Relating to: authorization to administer the Program for All-Inclusive Care for the Elderly under the Medical Assistance program (suggested as remedial legislation by the Department of Health and Family Services).

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 616

Read a third time and concurred in.

Special order of business at 11:25 A.M.

Assembly Bill 760

Relating to: registration of professional employer organizations, requiring the exercise of rule-making authority, and providing a penalty.

Read a second time.

Senate amendment 1 to **Assembly Bill 760** offered by Senator Wirch.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 760**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 760

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Roessler, Schultz, Sullivan, Taylor and Wirch – 31.

Noes – Senators Robson and Vinehout – 2.

Absent or not voting – None.

Concurred in as amended.

Special order of business at 11:26 A.M.

Assembly Bill 486

Relating to: expenditure of \$10,317.93 from moneys appropriated to the Department of Natural Resources in payment of a claim against the state made by the Klemme Brothers Well Drilling, Inc.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 486

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

Special order of business at 11:27 A.M.

Senate Bill 462

Relating to: psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 462**?

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 462**?

Adopted.

The question was: Adoption of Senate amendment 3 to **Senate Bill 462**?

Adopted.

Senate amendment 4 to **Senate Bill 462** offered by Senator Grothman.

Senator Hansen moved rejection of Senate amendment 4 to **Senate Bill 462**.

The question was: Rejection of Senate amendment 4 to **Senate Bill 462**?

The ayes and noes were required and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 17.

Noes – Senators Breske, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler and Schultz – 16.

Absent or not voting – None.

Rejected.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 462

Read a third time and passed.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Messaged.

Senator Miller, with unanimous consent, asked to be recorded as voting No on the question of concurrence of **Assembly Bill 864**.

Senator Robson, with unanimous consent, asked to be recorded as voting No on the question of concurrence of **Assembly Bill 864**.

Special order of business at 11:28 A.M.

Senate Bill 413

Relating to: markers for military memorial highways and bridges.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 413**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 413

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Vinehout and Wirch – 32.

Noes – None.

Absent or not voting – Senator Taylor – 1.

Passed.

Special order of business at 11:29 A.M.

Senate Bill 202

Relating to: specifically authorizing local governmental units to issue debt related to the brownfields revolving loan program.

Read a second time.

Senator Decker, with unanimous consent, asked that **Assembly Bill 706** be withdrawn from the committee on **Environment and Natural Resources** and taken up.

Assembly Bill 706

Relating to: specifically authorizing local governmental units to issue debt related to the brownfields revolving loan program.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 706

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 202** be laid on the table.

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has adopted and asks concurrence in:

Assembly Joint Resolution 96

Assembly Joint Resolution 109

Assembly Joint Resolution 112

Assembly Joint Resolution 113

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 96

Relating to: recognition of July as Postpartum Depression Awareness Month.

By Representatives Van Roy, Sheridan, Musser, Boyle, Townsend, Turner, Owens, Wasserman, Kerkman, Albers, A. Ott, Mursau, M. Williams, Hixson, Petrowski, Moulton, Davis, Nerison, Murtha and Berceau; cosponsored by Senators Darling, Lassa, Olsen and Roessler.

Read and referred to committee on **Senate Organization**.

Assembly Joint Resolution 109

Relating to: recognizing the efforts of the Transition Assistance Advisor Program in Wisconsin.

By Representative Musser; cosponsored by Senator Sullivan.

Read and referred to committee on **Senate Organization**.

Assembly Joint Resolution 112

Relating to: commending the Congregation of Sisters of St. Agnes.

By Representative Townsend; cosponsored by Senator Roessler.

Read and referred to committee on **Senate Organization**.

Assembly Joint Resolution 113

Relating to: commending Brett Favre on his spectacular career as quarterback of the Green Bay Packers.

By Representatives Montgomery, Van Roy, Bies, Boyle, Davis, J. Fitzgerald, Friske, Gronemus, Gunderson, Hahn, Hintz, Honadel, Hraychuck, Hubler, Huebsch, Jeskewitz, Jorgensen, Kaufert, Kerkman, Kestell, Kleefisch, Kramer, Kreuser, Krusick, F. Lasee, LeMahieu, Lothian, Mason, Molepske, Moulton, Mursau, Murtha, Musser, Nass, Nelson, Nerison, Nygren, A. Ott, J. Ott, Owens, Petersen, Petrowski, Pridemore, Richards, Seidel, Sheridan, Shilling, Sinicki,

Soletski, Strachota, Tauchen, Travis, Turner, Van Akkeren, Vos, Wasserman, M. Williams, Young and Zipperer; cosponsored by Senators Cowles, Hansen, Breske, Darling, Erpenbach, Harsdorf, Kanavas, A. Lasee, Lazich, Leibham, Olsen, Risser, Roessler and Sullivan.

Read and referred to committee on **Senate Organization**.

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND JOINT RESOLUTIONS NOT REQUIRING A THIRD READING

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 96** be withdrawn from the committee on **Senate Organization** and taken up.

Assembly Joint Resolution 96

Relating to: recognition of July as Postpartum Depression Awareness Month.

The question was: Shall **Assembly Joint Resolution 96** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 109** be withdrawn from the committee on **Senate Organization** and taken up.

Assembly Joint Resolution 109

Relating to: recognizing the efforts of the Transition Assistance Advisor Program in Wisconsin.

The question was: Shall **Assembly Joint Resolution 109** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 112** be withdrawn from the committee on **Senate Organization** and taken up.

Assembly Joint Resolution 112

Relating to: commending the Congregation of Sisters of St. Agnes.

The question was: Shall **Assembly Joint Resolution 112** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 113** be withdrawn from the committee on **Senate Organization** and taken up.

Assembly Joint Resolution 113

Relating to: commending Brett Favre on his spectacular career as quarterback of the Green Bay Packers.

Senator Darling, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 113**.

The question was: Shall **Assembly Joint Resolution 113** be concurred in?

Concurred in.

MOTIONS MAY BE OFFERED

Senator Lazich moved that the rules be suspended and that **Assembly Bill 427** be withdrawn from the committee on **Health, Human Services, Insurance, and Job Creation** and taken up at this time.

Senator Decker, with unanimous consent, asked that the Senate stand informal.

The Senate stood informal.

Senator Decker, with unanimous consent, asked that the Senate recess.

1:29 P.M.

RECESS

1:42 P.M.

The Senate reconvened.

President Risser in the chair.

The question was: Shall the rules be suspended and **Assembly Bill 427** be withdrawn from the committee on **Health, Human Services, Insurance, and Job Creation** and taken up at this time?

The ayes and noes were required and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler and Schultz – 15.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirsch – 18.

Absent or not voting – None.

Refused to suspend rules and take up.

ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Grothman, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Robert T. Rolfs who dedicated a lifetime of service to the West Bend community.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of my staff; Karen Asbjornson, Michael Wagner, and Robert Huneywell and all the great interns my office has. They all simply do a great job.

Senator Lazich, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the boy's basketball team at New Berlin Eisenhower High School. Eisenhower on Saturday won the W.I.A.A. Division 2 state basketball championship, defeating Adams-Friendship, 54-41. It's the first state basketball title in New Berlin Eisenhower's history. This truly was a "team" effort as this outstanding squad has plenty of heroes. Alex Izzo set a Division 2 tournament record with 7 three-pointers in the championship game. Izzo finished the championship with a game-high 23 points. In the sectional final, Jim Root sank the winning shot against Brown Deer to allow New Berlin Eisenhower to advance to the state tournament. Then in the semifinals Friday, Kevin Marr made 5 of 6 free throws in the final 42 seconds against defending state

champion Monroe. Senior Mike Hojnacki led the team in scoring and rebounding all season long. Congratulations to head coach David Scheidegger and all of the New Berlin Eisenhower Lions!

Senator Lazich, with unanimous consent, asked that when the Senate adjourn, it do so in honor of fourteen-year-old Kara Walla of Hales Corners won the 2008 Badger State Spelling Bee to advance to the national bee, in which both her father and an aunt previously participated. The teenager who is home-schooled by her parents with her four siblings finished first at Monona Grove High School by correctly ampicillin, an antibiotic.

Senator Kedzie, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his wife, Kerrie, on their 29th Wedding Anniversary March 10th.

Senator Kapanke, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his mother's 96th birthday on Saturday.

Senator Kapanke, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the LaCrosse Aquinas Basketball team. This past weekend they won the Division III basketball title by a score of 70–51. They ended the season 24–3. It's a great school, with great academics, and great athletes. Congratulations to LaCrosse Aquinas.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Oshkosh West boys basketball team who played in the semi-finals this last weekend. Congratulations to them and their coach.

ADJOURNMENT

Senator Decker, with unanimous consent, asked that the Senate adjourn until Wednesday, March 12, 2008.

Adjourned.

1:49 P.M.